COMMITTEE ON PETITIONS

(SIXTEENTH LOK SABHA)

FIFTH REPORT

LOK SABHA SECRETARIAT
NEW DELHI

June, 2015/Jyaishtha 1937 (Saka)

FIFTH REPORT OF THE COMMITTEE ON PETITIONS
(SIXEENTH LOK SABHA)

INTRODUCTION

I, the Chairperson, Committee on Petitions, having been authorized by the Committee to present the Report on their behalf, present this Fifth Report (Sixteenth Lok Sabha) of the Committee to the House on the Action Taken by the Government on the recommendations of the Committee on Petitions made in their Thirty-second Report (15th Lok Sabha) on the representation signed by Shri Anandrao Adsul and Smt. Bhavana Gawli, MPs Lok Sabha regarding Conversion of narrow gauge railway line Yawatmal-Murtizapur-Achalpur-Pulgaon into Broad Guage.

2. The Committee considered and adopted the draft Fifth Report at their sitting held on 13 July, 2015.

3. The observations / recommendations of the Committee on the above matters have been included in the Report.

NEW DELHI;
KOSHYARI

BHAGAT SINGH

Chairperson,
Committee on Petitions

13 July, 2015
22 Ashadha, 1937 (Saka)

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ANNEXURE

i) Minutes of the 13th sitting of the Committee held on 13.07.2015

COMPOSITION OF THE COMMITTEE ON PETITIONS

(2014-2015)

Shri Bhagat Singh Koshyari -*Chairperson*

MEMBERS

2. Shri Suresh C. Angadi
3. Shri Om Birla
4. Shri Jitendra Chaudhury
5. Shri Ram Tahal Choudhary
6. Shri Rajen Gohain
7. Dr. K. Gopal
8. Shri Chhedi Paswan
9. Shri Kamlesh Paswan
10. Smt. Krishna Raj
11. Shri Arjun Charan Sethi
12. Shri Kodikunnil Suresh
13. Shri Dinesh Trivedi
14. Shri Rajan Vichare
15. Shri Dharmendra Yadav

SECRETARIAT

1. Shri K. Vijayakrishnan - *Additional Secretary*
2. Shri Shiv Kumar - *Joint Secretary*
3. Shri Raju Srivastava - *Additional Director*
4. Md. Aftab Alam - *Deputy Secretary*
5. Shri Jyoti Prakash Krishna - *Executive Assistant*

ACTION TAKEN BY THE GOVERNMENT ON THE RECOMMENDATIONS OF THE COMMITTEE ON PETITIONS MADE IN THIRTY SECOND REPORT (15TH LOK SABHA) OF THE COMMITTEE ON THE REPRESENTATION FROM SHRI ANANDRAO ADSUL AND SMT. BHAVANA GAWALI PATIL, MPS, LOK SABHA REGARDING : CONVERSION OF NARROW GAUGE RAILWAY LINE YAWATMAL-MURTIZAPUR-ACHALPUR-PULGAON INTO BROAD GAUGE AND OTHER RELATED ISSUES.

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The Committee on Petitions in their Thirty Second Report (15th Lok Sabha) presented to the Lok Sabha on 4 January 2014 had dealt with a representation from Shri Anandrao Adsul and Smt. Bhavana Gawali Patil, MPs, Lok Sabha regarding : Conversion of narrow Gauge Railway Lines Yawatmal-Murtizapur-Achalpur-Pulgaon into Broad Gauge and other related issues.

2. The Committee on Petitions had deliberated upon the issue and made certain observations/ recommendations in their Report on the subject. The Ministry of Railways were requested to take action on the recommendations and furnish the Action Taken Replies thereon for the consideration of the Committee.

3. The Ministry of Railways had furnished the Action Taken Replies in respect of the observations/recommendations of the Committee on Petitions contained in the Thirty Second Report.

4. The Action Taken Replies received from the Ministry on the observations/ recommendations made by the Committee have been dealt with in the succeeding paragraphs.

5. As regards the details of the case examined by the Committee, the Committee had in para 33 of this Report stated :-

> "In their representations, Shri Anandrao Adsul and Ms. Bhavana Gawali (Patil), MPs, Lok Sabha have have submitted that gauge Conversion of Yawatmal – Murizapur (113 Kms.) Achalpur – Murtizapur (77 Kms.) and Pulgaon – Arvi (35 Kms.) lines is lying pending and unattended to for decades. Presently, these sections of rail lines are owned by a private

company known as the Central Provinces Railway Company Limited (Killick & Nickson Ltd.) and operated by the Central Railways. Due to poor maintenance by the Private owner, the train in these sections run at average speed of 16-17 km per hour. The areas adjoining the Railway lines have immense potential to grow but for want of transportation it is not happening. The Hon'ble Members have therefore, requested the Committee to look into the matter and do the needful."

(Para 33)

6. In their Action Taken Reply, however, on this issue, the Ministry of Railways have submitted:-

"Noted, despite the fact that Private Company owning the lines is neither bearing the maintenance cost nor carrying out rehabilitation work, Central Railway incurred an expenditure of Rs. 3.84 crores in 2002-03 for urgent rehabilitation work and is regularly carrying out routine maintenance work to ensure safe operation of Yawatmal – Murizapur (113 Kms.) and Achalpur – Murtizapur (77 Kms) at a restricted speed of 20 kmph."

7. In para 34 of the Report, the Committee had noted as follows :-

"The Committee note from the submission made by the Ministry that these lines are operated by the Central Railway in terms of an Agreement between the then Central Provinces Railway and Great Indian Peninsula (GIP) Railway now known as the Central Railway. Further in terms of financial agreement entered into in the year 1916 with the CP Railway (M/s Killick & Nickson Ltd.), Central Railway retains 45% of the gross earnings of the branch lines towards working expenses and expenditure on the maintenance. The balance 55% is treated as net earnings of the Company. The Committee have been apprised that track, bridges and other assets of the Central Provinces Railway lines are very old need rehabilitation. The Company also categorically refused to deploy funds for rehabilitation/ replacement of over aged assets. To enable safe running of trains, works of urgent nature were carried out by the Central Railway in the year 2002-03 at the cost of Rs. 3.84 Crore. This amount is being offset from the Company's share of earnings w.e.f. October 2002. The Committee further note with concern that the Private owner of the lines is neither bearing the maintenance cost of the aged lines nor interested to take on the work of rehabilitation of the rail lines, thereby making it extremely dangerous for the only train i.e. 'Shakuntala' to run thereon."

(Para 34)

8. In response to the abovesaid point, in their Action Taken Reply, the Ministry of Railway have submitted :-

"It is a fact that the track, bridges and other assets of the Central Provinces Railway lines are very old and need rehabilitation. The Private owner of the lines is neither bearing the maintenance cost of the aged lines nor interested to take on the work of rehabilitation of the rail lines. To enable safe running of trains, works of urgent nature were carried out by the Central Railway in the year 2002-03 at the cost of Rs.3.84 Crore. Routine maintenance work is being carried out by departmental labour and using second hand material to ensure that Yawatmal – Murizapur (113 Kms.) & Murtizapur- Achalpur (77 Kms.) is operational at a restricted speed of 20 kmph. Pulgaon-Arvi section is not operational since 2006, for want of heavy inputs to enable safe running of trains."

9. In para 35 of the Report, the Committee had noted :-

"The Committee also note that the lines can be taken over from the Private Company as per terms of agreement under Clause 51(2), recurring at interval of every 10 years commencing from 01.04.1947, to purchase the lines at a price specified in the agreement. The next window for the purpose will be only available in 2017. Further the lines can also be taken over by Railway under the Special purchase clause 51(3), of the said agreement which provides that the contract can be determined by giving 12 months previous notice of 'Special Purchase' in any of the following situations:-

(i) The gauge of the said railway to be altered

(ii) The line is to be converted into a line of through communication and

(iii) The company is unable or unwilling to supply the necessary capital for extension of the said railway without altering the gauge or making the line part of a through route.."

(Para 35)

10. In their Action Taken Reply, the Ministry of Railways have stated :-

"The observation is correct. To take over the line by invoking special purchase clause, 51(3), Gauge Conversion project needs to be sanctioned. As per the updated survey report the cost of Gauge Conversion of NG line under consideration has been assessed as Rs. 1551 crores with negative ROR of 2.44%. In view of high cost of Gauge

conversion, its negative ROR, huge shelf of ongoing project & state Govt not forth coming to share the cost of the project it has been decided to pend the Gauge Conversion project. With regard to clause 51(2), it has been decided to carry out next decennial exercise due in 2016."

11. In para 36 and 37 of the Report, the Committee had also observed in the matter as follows :-

"So far as modalities for taking over the lines are concerned, the Committee have been apprised that once the Survey Report of the Project is examined, it will be sent to Planning Commission for seeking its in-principle approval. Thereafter, it will be considered by an Expanded Board of Railways comprising of representatives of Ministry of Railways, Ministry of Finance, Ministry of Statistics and Programme Implementation and Planning Commission. Once it is sanction of the project will be put up to Cabinet Committee on Economic Affairs. But, however, in this connection Ministry of Railways would also seek State's support in terms of cost sharing for execution of the Project. Only after the Project is approved by the CCEA, Railway can invoke clause 51(3) and Ministry of Railways will place the proposal for taking over the line for approval of the Hon'ble Minister of Railway."

(Para 36)

"The Committee further note from the submission made by Ministry that Preliminary Engineering cum Traffic Survey (PETS) for Gauge Conversion of these Narrow Gauge lines into Broad Gauge was carried out way back in July 2005 and again updated in October, 2008. The Committee further note that as per updated Survey Report, the cost of the project was assessed at Rs. 454.78 crore with and ROR of 5%. This Report was based on 'One Train Only System' in all these sections. The Project being highly unremunerative was shelved by the Ministry of Railways. The Railway have recently further updated the survey of 225 kms long rail lines. The new cost of the Project has been now assessed at approximately Ra. 1554 crore with an ROR of -2.45%. This survey report came in April and its ROR and other issues are under examination of the Ministry."

(Para 37)

12. In their Action Taken Reply, the Ministry of Railway have stated :-

"The modalities of sanction of a project and the pre-requisite for invoking Clause 51(3), as brought out in the recommendation, is correct. As per updated Survey report, the cost of gauge conversions of Yawatmal – Murizapur (113 Kms.) & Achalpur – Murtizapur (77 Kms.) and Pulgaon-Arvi (35 Km) has been assessed as Rs.1551 crore with negative ROR of 2.44%. State Government have been requested vide letter No. 2013/W-I/CR/GC/Murtizapur dated 06.03.2014 to share 50% cost of the projects and give land free. But no response has been received so far, accordingly, after examination of survey report, the project has been put on hold."

13. Again on the issue, in para 38 of the Report, the Committee had observed as follows :-

"The Committee also note that as per the Project Uni-gauge of the Indian Railways Initiated in 1992 to take over the work of Gauge Conversion, the Indian Railways endeavoured to carry out gauge Conversion to create Connectivity to Ports, Industrial and growth centres besides other factors at the least cost yet providing a standard of service not lower than already provided to rail users. As the Railways do not have enough fund to take up Gauge Conversion of the rail lines, Budgetary Support from the Government is sought. Further, the Planning Commission has been approving Projects, wherein the concerned State Government is ready to share the cost of the Project."

(Para 38)

14. In their Action Taken Reply, the Ministry of Railways have stated :-

"Noted. Government of Maharashtra has been requested vide letter No. 2013/W-I/CR/GC/Murtizapur dated 06.03.2014 to agree to share 50% cost of the project and give land free, but no response has so far been received."

15. In paras 39 and 40 of the Report, the Committee had observed :-

"The Committee were informed that the State Government of Maharashtra have been writing continuously for the last two years to the Ministry of Railways for furnishing the Updated Survey Report of the said lines. Further, during the course of oral evidence held on 30.01.2013, the representative of the State Government of Maharashtra assured the Committee that as and when the Updated Survey Report of the rail lines containing the estimated Project Cost and other terms of reference is received, the same would be placed before the Cabinet of the State Government of Maharashtra for their consideration. The Committee are

constrained to note the casual approach of the Ministry of Railways towards the project under reference as the Ministry did not even bother to respond to the communication made by the State Government of Maharashtra with regard to furnishing the Updated Survey Report of the rail lines and the Survey report is still being examined by the Ministry."

(Para 39)

" While analysing the inputs provided by the Ministry, the details of which have been given above, the Committee find that different surveys have been undertaken by the Ministry since the matter was taken up by the Committee in 2002 without making any headway taking over the rail lines and their Gauge Conversion work despite acknowledging the fact that the lines are in poor state of maintenance and as such the condition of track is not good. The Committee deplore the casual approach of Railways which caused inordinate delay and has further resulted into escalation of cost of the Project as cost of the Project has already escalated 300% in decade time. The committee, therefore, recommend the Ministry to forward the Updated Survey Report of the rail lines without any further delay to the State Government of Maharashtra for Planning Commission so that the work of Gauge Conversion of these lines can be undertaken on top priority."

(Para 40)

16. In their Action Taken Reply, the Ministry of Railways have stated:-

"Immediately after updation of the cost of Gauge Conversion, Government of Maharashtra has been requested in March'2014 to come forward to share 50% of the cost of projects and give land free. Their response is awaited."

(Para 40)

17. In para 41 of the Report, the Committee had observed :-

" The Committee further note from the deliberations made during the sitting of the Committee held on 30 January, 2013 that the only train service viz. 'Shakuntala' on these lines in frequently affected by the poor condition and non-maintenance of the tracks. As a result thereof, the people living in these areas viz. Anjangaon, Achalpur, Murtizapur and Paratwada are facing immense hardship and frequent stoppage of this train also impedes the overall growth of the region. Pending decision on the issue of Gauge Conversion, the Committee strongly emphasise to take all the initiative by the Railways for repair/maintenance of the lines/track so as to ensure safe

and uninterrupted running of the train. The Committee are of the firm view that smooth running of this train would give much needed impetus to the economy of these places and region as such."

18. In response to the abovesaid point, the Ministry of Railways have stated :-

"The train service on the NG lines of Achalpur-Murtizapur-Yavatmal is operational at a restricted speed of 20 kmph, though disruptions occur during monsoon period only for about 2-3 months

Railways have been making all out efforts for repair/maintenance of the lines/track to ensure safe and uninterrupted running of trains using departmental labour and accord hand material on Achalpur-Murtizapur-Yavatmal sections, though at a restricted speed of 20 kmph."

19. In para 41 of the Report, the Committee had recommended :-

"After carefully going through clause 51 (3) of the Agreement threadbare, the Committee are included to conclude that the first condition of clause 51 (3) i.e. "...when it is desirable that the gauge of the said Railway should be altered" is the most appropriate option to take over the rail line before 1 March 2017. The Chairman, Railways Board was also in agreement with the observation made by the Committee during the sittings of Committee. The Committee, therefore, strongly recommend the Ministry to urgently take over the project on the aforesaid lines in a time bound manner. The Committee would like to be apprised of the action taken in this regard within 3 months of the presentation of this Report to the House."

20. In their Action Taken Reply, the Ministry of Railways have stated:-

" It has been brought out in recommendations No. 35 & 36 and its reply thereon that only after the Project is approved by Planning Commission, Expanded Board for Railways and CCEA, Railway can invoke clause 51(3) to take over the line. As per the updated survey report the cost of Gauge Conversion has been assessed at Rs. 1551 crs. with a negative rate of return of 2.44%. In view of its unremunerative nature, huge throw forward of ongoing Railway projects and limited availability of resources, Railways is unable to take the project forward and have requested Government of Maharashtra to share the cost of gauge conversion. Since, Government of Maharashtra have not responded to the request of Ministry of Railways the gauge conversion project could not be taken forward for seeking approval of Planning Commission, Expanded Board for Railways and CCEA."

Observation/ Recommendations

21. The Committee in their 32nd Report (Fifteenth Lok Sabha) had considered the matter regarding conversion of narrow Gauge Railway Lines Yawatmal-Murtizapur-Achalpur-Pulgaon into Broad Gauge and, to ensure continuous running of the only train 'Shakuntala' in these sections. To recapitulate the case in brief, in their representations, Shri Anandrao Adsul and Ms. Bhavana Gawali (Patil), MPs, Lok Sabha have have submitted that gauge Conversion of Yawatmal – Murtizapur (113 Kms.) Achalpur – Murtizapur (77 Kms.) and Pulgaon – Arvi (35 Kms.) lines is lying pending and unattended to for decades. Presently, these sections of rail lines are owned by a private company known as the Central Provinces Railway Company Limited (Killick & Nickson Ltd.) and operated by the Central Railways. Due to poor maintenance by the Private owner, the train in these sections run at average speed of 16-17 km per hour. The areas adjoining the Railway lines have immense potential to grow but for want of transportation the same is not happening. The Hon'ble Members had therefore, requested the Committee to look into the matter and do the needful.

22. The Committee note from the action taken note that the track, bridges and other assets of the Central Provinces Railway lines are very old and need rehabilitation. The Private owner of the lines is neither

bearing the maintenance cost of the aged lines nor interested to take on the work of rehabilitation of the rail lines. To enable safe running of trains, works of urgent nature were carried out by the Central Railway in the year 2002-03 at the cost of Rs.3.84 Crore. Routine maintenance work is being carried out by the departmental labour and using second hand material to ensure that Yawatmal – Murtizapur (113 Kms.) & Murtizapur-Achalpur (77 Kms.) is operational at a restricted speed of 20 kmph. Pulgaon-Arvi section is not operational since 2006, for want of heavy inputs to enable safe running of trains.

23. The Committee also note that to take over the line by invoking special purchase clause, 51(3), Gauge Conversion project needs to be sanctioned. As per the updated survey report the cost of Gauge Conversion of NG line under consideration has been assessed as Rs. 1551 crores with negative ROR of 2.44%. In view of high cost of Gauge conversion, its negative ROR, huge shelf of ongoing project & state Govt not forth coming to share the cost of the project it has been decided to pend the Gauge Conversion project. With regard to clause 51(2), it has been decided to carry out next decennial exercise due in 2016.

The Committee further note that the Railways Authorities have taken up the matter with the State Government of Maharashtra with regard to sharing the 50% cost of the project. The Committee, while understanding the modalities of sanctioning the project and pre requisite

for invoking clause 51 (3) of the agreement entered into between the Indian Railways and the Private Company, are of the considered opinion that the project of Gauge conversion should be sanctioned and the Ministry should convince the State Government of Maharashtra to share the 50% cost of the project. Accordingly, the Committee strongly recommend the Ministry to take over the railway lines from the Private Company by invoking Special Purchase clause 51(3) in 2016, when the next decennial exercise gets due as per the Agreement.

24. The Committee, however, are constrained to note that the train service on the NG lines of Achalpur-Murtizapur-Yavatmal is operational at a restricted speed of 20 kmph, though disruptions occur during monsoon period only for about 2-3 months. The Committee strongly feel that the train service on these sections should not be disrupted even during rainy season and most sincere efforts should be made by the Railways to keep operational the tracks throughout the year.

The Committee would like to be apprised of the action taken in this regard.

NEW DELHI

13 July, 2015
22 Ashadha, 1937 (Saka)

BHAGAT SINGH KOSHYARI
Chairperson
Committee on Petitions